

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FILING COMPLETION UNDER RULE 53(f)

(NOT PCT Applications)
For Design, Provisional, or Utility Applications

PATENT APPLICATION



**COMPLETION Under
Rule 53(f)**

In re **PATENT APPLICATION** of

Inventor(s): **BEETHAM, Peter R., WALKER, Keith A., AVIASSAR, Patricia L.**

Appln. No.: **09 680,858** Atty.Dkt. **P 049317** 272063
Series Code ↑ Serial No. ↑ M# Client Ref

Filed: **October 6, 2000**

Title: **COMPOSITIONS AND METHODS FOR PLANT GENETIC MODIFICATION**

Attn: Application Division

Hon. Commisioner of Patents
Washington,DC 20231

Date: **February 28, 2001**

Sir:

The following **completes the filing** under **Rule 53(f)** of the above-identified patent application:

1. **Notice to File Missing Parts** copy attached not yet received

2. Signed Declaration attached. Original Facsimile/Copy

(Always "X" box 2 if filling signed Declaration and
"X" box 2A only if top box of the Declaration is X'd and file application copy, or
"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

2A. Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.

2B. The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.

3. Specification originally filed in non-English language; hence verified translation attached of:
 a. Abstract
 b. # pages of Specification(only spec. & claims)
 c. Drawing(s) _____
 _____ No of Sheets
 Fig(s). _____

4. Letter filing formal drawing attached.

5. Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 60/158,033	October 7, 1999	(2) 60/173,555	December 30, 1999
(3)		(4)	
(5)		(6)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in _____

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on

2-28-01

(DATE)
K.A. Ceballos

9. _____ (No.) Certified copy (copies): attached; previously filed (date) _____
in U.S. Application No. _____ / _____ filed on _____

10. Small Entity Status is Not claimed is claimed (file PAT-256 if this is the first claim of
Small Entity Status)

11. Attached:

12. Preliminary Amendment:



THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

				Large/Small Entity		Fee Code
13. Basic Filing Fee		Design Application	\$320/\$160		106/26	
		Not Design Application	\$710/\$355	+355	101/201	
14. Total Effective Claims	25	minus 20 =	5	x \$18/\$9	+45	103/203
15. Independent Claims	6	minus 3 =	3	x \$80/\$40	+120	102/202
16. If <u>any</u> proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)			\$270/\$135	+0	104/204	
17. Surcharge for filing Declaration/filing fee late			\$130/\$65	+130	105/205	
18.			FILING FEE ENCLOSED =	\$650		
19. <u>Original due date:</u>	February 28, 2001					
20. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo)	\$110/\$55 =	+0	115/215	
		(2mos)	\$390/\$195 =		116/216	
		(3mos)	\$890/\$445 =		117/217	
		(4mos)	\$1390/\$695 =		118/218	
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee			\$130	+0	139	
22. If "assignment" box 5 is X'd, add recording fee.			\$40	+40	581	
23. Petition Fee for			\$130	+0		
24.			TOTAL FEE ENCLOSED =	\$690		

Our Deposit Account No. 03-3975

Our Order No. 049317

272063

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP
Intellectual Property Group**

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Ninth Floor
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By Atty: Alan E. Dow

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NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments

SECTOR \$



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/680,858	10/06/2000	Peter Beetham	PM49317/272063

Pillsbury Madison & Sutro LLP
 Intellectual Property Group
 Ninth floor
 1100 New York Avenue NW
 Washington, DC 20005-3918



FORMALITIES LETTER



OC000000005642126

Date Mailed: 12/28/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$330.
 - \$90 for 5 total claims over 20.
 - \$240 for 3 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1170.**

A copy of this notice MUST be returned with the reply.

[Signature]
 Customer Service Center
 Initial Patent Examination Division (703) 308-1202

03/09/2001 GTEFFERA 00090620 09680958

01 FC:201	355.00	SP
02 FC:205	55.00	SP
03 FC:202	120.00	SP
04 FC:203	45.00	SP
Repln. Ref: 03/09/2001 GTEFFERA 00090620		
DAM:033975 Name/Number:09680958		
FC: 704		

PART 2 - COPY TO BE RETURNED WITH RESPONSE